

PATENT
IOS9601CIPD

10/6/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: D'Ausilio, R. et al.

Examiner: Swiatek, Robert P.

Serial No.: 10/779,869

Group Art Unit: 3644

Title: In Orbit Space Transportation
& Recovery System

Filed: 17 February 2004

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OCT 5 2004
LICENSING & REVIEW

CERTIFICATE OF MAILING UNDER 37 C.F.R. SECTION 1.8

The undersigned hereby certifies that this document is being deposited with the United States Postal Service in accordance with the provisions of 37 CFR Section 1.8 on the date indicated below and is addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, Attention: Licensing and Review.

Thomas N. Giaccherini, Registration No. 31,075

Date 5 Oct 2004.

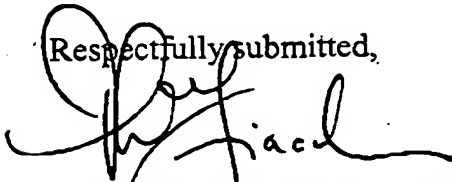
SUBMISSION OF FOUR PROPERTY RIGHTS STATEMENTS

Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
Attention: Licensing & Review

Sir:

The Applicants submit four executed Property Rights Statements in response to the Notice dated 9 September 2004.

Respectfully submitted,



5 Oct 2004

Thomas N. Giaccherini, Attorney of Record, Registration No. 31,075
P.O. Box 1146, Carmel Valley, California 93924
techlaw@ix.netcom.com

Best Available Copy

PATENT
IOS9601CIPD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Examiner: Swiatek, Robert P.

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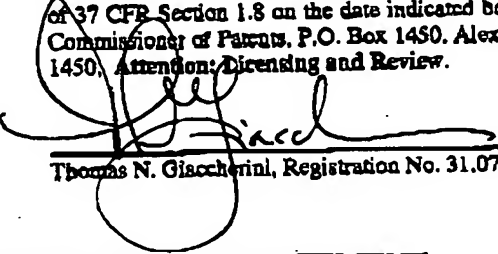
Title: **In Orbit Space Transportation
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Thomas N. Giaccherini, Registration No. 31.075

Date 5 Oct
2004

**PROPERTY RIGHTS STATEMENT
OF
Robert F. D'Ausilio**

I, Robert F. D'Ausilio,

a Citizen of the United States of America, residing at

1924 Maplegrove Way, Bountiful, Utah 84010

declare:

That I, together with

Franklin H. Williams, Jr.
James R. Stuart and
Thomas N. Giaccherini

Property Rights Statement**Robert F. D'Ausilio****U.S.S.N. 10/779,869****Page 2**

**made and conceived the Invention described and claimed in
U.S. Patent Application Serial Number 10/779,869**

**filed in the United States of America on
17 February 2004**

entitled

In Orbit Space Transportation and Recovery System.

I made and conceived this Invention, together with my Co-Inventors, while I was an officer of and employed by INTRASPACE CORPORATION of North Salt Lake City, Utah. The Invention is related to the work I am employed to perform and was made within the scope of my employment duties. The invention was made with the use of facilities, equipment, materials, funds, information and services of INTRASPACE CORPORATION.

To the best of my knowledge and belief, the Invention was not made or conceived in the course of, or in connection with, or under the terms of any contract, subcontract or arrangement entered into with or for the benefit of the United States Atomic Energy Commission or its successors: the Energy Research Development Administration or the Department of Energy.

To the best of my knowledge and belief, the Invention was not made (conceived or actually reduced to practice) under nor is there any relationship of the Invention to the performance of any work under any contract to the National Aeronautics and Space Administration.

SEP 27 '04 10:15AM INTRASPACE CORP COMMSERV CORP

P.3

Property Rights Statement
Robert F. D'Ausilio
U.S.S.N. 10/779,869
Page 3


I further declare:

that all statements made in this Property Rights Statement of my own knowledge are true;

that all statements made on information and belief are believed to be true; and

that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and

that such willful false statements may jeopardize the validity of the Application of any Patent issuing thereon.


Robert F. D'Ausilio Date 29 Sept 2004

Post Office Address: 1924 Maplegrove Way, Bountiful, Utah 84010

PATENT
IOS9601CIPD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: D'Ausilio, R. et al.

Examiner: Swiatek, Robert P.

Serial No.: 10/779,869

Group Art Unit: 3644

Title: In Orbit Space Transportation
& Recovery System

Filed: 17 February 2004

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Thomas N. Giaccherini, Registration No. 31,075

Date 5 Oct
2004

PROPERTY RIGHTS STATEMENT

OF

Franklin H. Williams, Jr.

I, Franklin H. Williams, Jr.,

a Citizen of the United States of America, residing at

1937 East 7325 South, Salt Lake City, Utah 84121

declare:

That I, together with

Robert F. D'Ausilio
James R. Stuart and
Thomas N. Giaccherini

Property Rights Statement
Franklin H. Williams, Jr.
U.S.S.N. 10/779,869
Page 2

made and conceived the Invention described and claimed in
U.S. Patent Application Serial Number 10/779,869

filed in the United States of America on
17 February 2004

entitled
In Orbit Space Transportation and Recovery System.

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FEB - 3 2004
LICENSING & REVIEW

I made and conceived this Invention while I was an employee of Intraspace Corporation. I made and conceived this Invention while working as an employee of Intraspace Corporation using the facilities, equipment, materials, funds, information and services of Intraspace Corporation; or on my own time using my own facilities, equipment, materials, funds, information and services.

To the best of my knowledge and belief, the Invention was not made or conceived in the course of, or in connection with, or under the terms of any contract, subcontract or arrangement entered into with or for the benefit of the United States Atomic Energy Commission or its successors: the Energy Research Development Administration or the Department of Energy.

To the best of my knowledge and belief, the Invention was not made (conceived or actually reduced to practice) under nor is there any relationship of the Invention to the performance of any work under any contract to the National Aeronautics and Space Administration.

Property Rights Statement

Franklin H. Williams, Jr.

U.S.S.N. 10/779,869

Page 3

I further declare:

that all statements made in this Property Rights Statement of my own knowledge are true;

that all statements made on information and belief are believed to be true; and

that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and

that such willful false statements may jeopardize the validity of the Application of any Patent issuing thereon.

Franklin H. Williams, Jr.
Franklin H. Williams, Jr.4 October 2004
Date

Post Office Address: 1937 East 7325 South, Salt Lake City, Utah 84121

09/29/2004 12:37 FAX 303 666 0388

Dr. J.R. Stuart →→ J. Stuart

01

PATENT
IOS9601CPD**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: D'Ausilio, R. et al.

Examiner: Swiatek, Robert P.

Serial No.: 10/779,869

Group Art Unit: 3644

Title: **In Orbit Space Transportation
& Recovery System**

Filed: 17 February 2004

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LITIGATION REVIEW**CERTIFICATE OF MAILING UNDER 37 C.F.R. SECTION 1.8**

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Thomas N. Giaccherini, Registration No. 31,075

Date

5 Oct
2004**PROPERTY RIGHTS STATEMENT
OF
James R. Stuart**

I, James R. Stuart,

a Citizen of the United States of America, residing at

1082 West Alder Street, Louisville, Colorado 80027-1046

declare:

That I, together with

Robert F. D'Ausilio
Franklin H. Williams, Jr. and
Thomas N. Giaccherini

09/29/2004 12:37 FAX 303 666 0388

Dr. J.R. Stuart --- J. Stuart

02

Property Rights Statement**James R. Stuart****U.S.S.N. 10/779,869****Page 2**

**made and conceived the Invention described and claimed in
U.S. Patent Application Serial Number 10/779,869**

**filed in the United States of America on
17 February 2004**

**entitled
*In Orbit Space Transportation and Recovery System.***

I made and conceived this Invention while I was an officer of and a consultant to IOSTAR Corporation. I made and conceived this Invention on my own time using my own facilities, equipment, materials, funds, information and services; or while serving as an officer of IOSTAR Corporation using the facilities, equipment, materials, funds, information and services of IOSTAR Corporation.

To the best of my knowledge and belief, the Invention was not made or conceived in the course of, or in connection with, or under the terms of any contract, subcontract or arrangement entered into with or for the benefit of the United States Atomic Energy Commission or its successors: the Energy Research Development Administration or the Department of Energy.

To the best of my knowledge and belief, the Invention was not made (conceived or actually reduced to practice) under nor is there any relationship of the Invention to the performance of any work under any contract to the National Aeronautics and Space Administration.

09/29/2004 12:37 FAX 303 666 0388

Dr. J.R. Stuart → J. Stuart

03

Property Rights Statement
James R. Stuart
U.S.S.N. 10/779,869
Page 3


I further declare:

that all statements made in this Property Rights Statement of my own knowledge are true;

that all statements made on information and belief are believed to be true; and

that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and

that such willful false statements may jeopardize the validity of the Application of any Patent issuing thereon.


James R. Stuart Date 9/28/09

Post Office Address: 1082 West Alder Street, Louisville, Colorado 80027-1046

PATENT
IOS9601CIPD**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: D'Ausilio, R. et al.

Examiner: Swiatek, Robert P.

Serial No.: 10/779,869

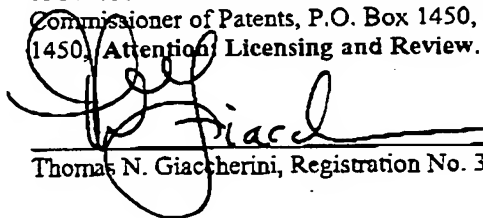
Group Art Unit: 3644

Title: **In Orbit Space Transportation
& Recovery System**

Filed: 17 February 2004

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OCT - 30 2004
LICENSING & REVIEW**CERTIFICATE OF MAILING UNDER 37 C.F.R. SECTION 1.8**

The undersigned hereby certifies that this document is being deposited with the United States Postal Service in accordance with the provisions of 37 CFR Section 1.8 on the date indicated below and is addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, Attention: Licensing and Review.


Thomas N. Giaccherini, Registration No. 31,075Date 5 Oct 04**PROPERTY RIGHTS STATEMENT
OF
Thomas N. Giaccherini**

I, Thomas N. Giaccherini,

a Citizen of the United States of America, residing at

405 El Caminito, P.O. Box 1146, Carmel Valley, California 93924

declare:

That I, together with

Robert F. D'Ausilio
James R. Stuart, and
Franklin H. Williams, Jr.

Property Rights Statement
Thomas N. Giaccherini
U.S.S.N. 10/779,869
Page 2

made and conceived the Invention described and claimed in
U.S. Patent Application Serial Number 10/779,869

filed in the United States of America on
17 February 2004

entitled
In Orbit Space Transportation and Recovery System.

I made and conceived this Invention while I was engaged as a patent attorney for IOSTAR Corporation. I made and conceived this Invention on my own time using my own facilities, equipment, materials, funds, information and services.

To the best of my knowledge and belief, the Invention was not made or conceived in the course of, or in connection with, or under the terms of any contract, subcontract or arrangement entered into with or for the benefit of the United States Atomic Energy Commission or its successors: the Energy Research Development Administration or the Department of Energy.

To the best of my knowledge and belief, the Invention was not made (conceived or actually reduced to practice) under nor is there any relationship of the Invention to the performance of any work under any contract to the National Aeronautics and Space Administration.

Property Rights Statement
Thomas N. Giaccherini
U.S.S.N. 10/779,869
Page 3

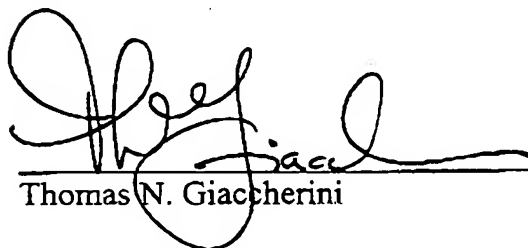
I further declare:

that all statements made in this Property Rights Statement of my own knowledge are true;

that all statements made on information and belief are believed to be true; and

that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and

that such willful false statements may jeopardize the validity of the Application of any Patent issuing thereon.

 5 Oct 04.
Thomas N. Giaccherini Date

Post Office Address: P.O. Box 1146, Carmel Valley, California 93924



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/779,869	02/17/2004	Robert F. D'Ausilio	IOS9601CIPD

Giaccherini
Post Office Box 1146
Carmel Valley, CA 93924

received
17 Sept 04

*They
called JRS
on 17 Sept*

EXAMINER	
ART UNIT	PAPER NUMBER

PATENT & TRADEMARK OFFICE

MAILED

DATE MAILED:

SEP - 9 2004

LICENSING & REVIEW

**IF NO RESPONSE TO THIS NOTICE IS RECEIVED WITHIN FORTY-FIVE DAYS, A
FORMAL REQUIREMENT WILL BE ISSUED**

The subject matter of this application appears to:

☐ be "useful in the production or utilization of special nuclear material or atomic energy" as recited in 42 U.S.C. 2182 (Department of Energy (DOE)).

☒ Have significant utility in the conduct of aeronautical and space activities" as recited in 42 U.S.C. 2457 (National Aeronautics and Space Administration (NASA)).

Accordingly, no patent can issue on this application unless applicant(s) file a statement (under oath or in the form of a declaration as provided by 37 CFR 1.68) setting forth (1) the full facts concerning the circumstances under which the invention was made and conceived and (2) the relationship (if any) of the invention to the performance of any work under any contract or other arrangement with the Agency(ies) noted above. On the reverse side of this form is an example of an acceptable format for this statement. The language appearing in paragraphs III and/or IV of the example *must* appear if applicant is attempting to establish that no relationship (under item 2 above) exists.

If the invention disclosed in this application was developed under a contract, grant or cooperative agreement between the Agency indicated above and a person, small business or non-profit organization and rights to the invention have been determined by specific reference to 35 U.S.C. 202 in the contract, grant or cooperative agreement, then applicant need not submit the statement described above. Instead, applicant may file a verified statement (under oath or in the form of a declaration, 37 CFR 1.68) setting forth the information required by 35 U.S.C. 202(c)(6).

IF NO STATEMENT HAS BEEN RECEIVED WITHIN FORTY-FIVE DAYS OF THE MAIL DATE INDICATED ABOVE, a formal requirement for statement will then be issued. No provision is made for extension of the statutory thirty-day period for response to the formal requirement and the penalty for failure to file an acceptable and timely statement is abandonment of the application. Therefore, applicants are strongly encouraged to submit a statement at this time in order to avoid the issuance of a formal requirement.

IT IS IMPORTANT TO NOTE that the statement must accurately represent the property rights situation of the claimed invention if and when the application is found allowable. Thus, if during prosecution before the examiner, the claimed invention is so altered or the property rights situation so changed as to impact the accuracy of a statement submitted earlier, a supplemental statement must be filed. Failure to submit such additional information where appropriate may be considered a false representation of material facts and render the patent owner vulnerable to loss of patent rights and other sanctions as set forth in the statutes. The PTO will not review allowed applications for this possibility. The responsibility for complying with the statutes rests with the applicants.

Any questions regarding this requirement should be directed to Licensing and Review at (703) 606-4191.

(703) 305-0241

**PLEASE DIRECT ALL COMMUNICATIONS RELATING TO THIS MATTER TO THE
ATTENTION OF LICENSING AND REVIEW**

703 305 6384

Law Office of Thomas N. Giaccherini
ATTORNEYS AT LAW

405 El Caminito
Post Office Box 1146
Carmel Valley, California 93924

Telephone: 831.659.5300
Telecopier: 831.659.7301

Internet e-mail address:
techlaw@ix.netcom.com

Carmel Valley Office

6 October 2004

**FACSIMILE TRANSMITTAL
SECURITY COVER SHEET**

To: **Commissioner of Patents**
Attention: Licensing & Review
P.O. Box 1450
Alexandria, Virginia 22313-1450
Fax: 703.305.6384

From: **Thomas N. Giaccherini**
Carmel Valley, California


Subject: **Submission of Four Property Rights Statements for USSN 10/779,869**

Message: Four Executed Property Rights Statements follow this cover sheet, as well as a copy of the NASA Notice dated 9 September 2004. A first set of Property Rights Statements was mailed to the Patent Office on 5 October 2004. This faxed set is a duplicate set.

This transmission comprises this transmittal sheet and 14 additional pages.

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. SECTION 1.8

The undersigned hereby certifies that this document is being transmitted to the United States Postal Service by facsimile to 703.305.6384 in accordance with the provisions of 37 CFR Section 1.8 on the date indicated below and is addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, Attention: Licensing and Review.


Thomas N. Giaccherini, Registration No. 31,075

6 Oct 2004.
Date

*** ACTIVITY REPORT ***

RECEPTION OK

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CONNECTION TEL 831 659 7301

CONNECTION ID A&G CARMEL

START TIME 10/06 10:19

USAGE TIME 03'47

PAGES 15

RESULT OK